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1637\$

PATENT  
Attorney Docket No. EXT-071

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Jones *et al.*  
SERIAL NO.: 09/766,880 GROUP NO.: 1637  
FILING DATE: January 19, 2001 EXAMINER: Siew, J.  
TITLE: Method and Apparatus for Separating and Detecting Nucleic Acid

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 15th day of October, 2003.

  
Lisa Marie Solis

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith is/are:

1. Transmittal Form (1 pg);
2. Fee Transmittal Form (1pg);
3. Amendment and Response to Office Action (19 pgs) and 1 Annotated Drawing Sheet Showing Changes;
4. Supplemental Information Disclosure Statement (2 pgs);
5. PTO Form-1449 (1 pg) and copies of cited references B1, C1-C3;
6. A check in the amount of \$180;
7. Notification of Loss of Entitlement of Small Entity Status (37 CFR §§ 1.27 and 1.28) (1 pg);
8. Copy of Power of Attorney By Assignee of Entire Interest Revocation of Prior Powers and New Power of Attorney, dated September 19, 2003 (3 pgs); and a
9. Return Receipt Postcard.



# TRANSMITTAL FORM

Application Serial Number	09/766,880
Filing Date	January 19, 2001
First Named Inventor	Jones
Group Art Unit	1637
Examiner Name	Siew, J.
Attorney Docket No.	EXT-071
Patent No.	Not yet assigned
Issue Date	Not yet assigned

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Check Attached (\$180.00) <input type="checkbox"/> Copy of Fee Transmittal Form <input checked="" type="checkbox"/> Amendment and Response (19 pgs) and 1 Annotated Drawing Sheet Showing Changes <input type="checkbox"/> Petition for Extension of Time <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement <input checked="" type="checkbox"/> Form PTO-1449 <input checked="" type="checkbox"/> Copies of IDS Citations (B1, C1-C3) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) <input checked="" type="checkbox"/> Notification of Loss of Entitlement of Small Entity Status (37 CFR §§ 1.27 and 1.28) (1 pg) <input checked="" type="checkbox"/> Copy of Power of Attorney By Assignee of Entire Interest Revocation of Prior Powers and New Power of Attorney, dated September 19, 2003 (3 pgs)
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## CORRESPONDENCE ADDRESS

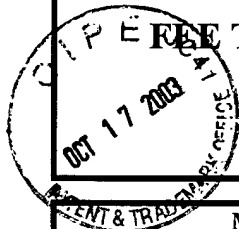
Direct all correspondence to: Patent Administrator  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110  
Tel. No.: (617) 248-7000  
Fax No.: (617) 248-7100

## SIGNATURE BLOCK

Date: October 15, 2003  
Reg. No. 45,508  
Tel. No.: (617) 248-7226  
Fax No.: (617) 248-7100

Respectfully submitted,

Daniel A. Wilson  
Attorney for Applicant  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110



**FEE TRANSMITTAL**  
**FY 2004**

*Complete if Known*

Application Serial Number	09/766,880
Filing Date	January 19, 2001
First Named Inventor	Jones
Group Art Unit	1637
Examiner Name	Jeffrey Siew
Attorney Docket No.	EXT-071

**METHOD OF PAYMENT**

1. ☒ Payment Enclosed: (\$180.00)  
☒ Check ☐ Money Order ☐ Other
2. ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531.  
☐ Required Fees (copy of this sheet enclosed).  
☒ Additional fee required under 37 CFR 1.16 and 1.17.  
☒ Overpayment Credit.
3. ☐ Applicant claims small entity status.

**FEE CALCULATION**

**1. FILING FEE**

Large Entity Fee (\$)	Fee Description	Fee Paid
770	Utility filing fee	
340	Design filing fee	
160	Provisional filing fee	

Number Filed	Number Extra	Rate	Amount
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Total Claims - 20 = x \$ 18.00 =

Independent Claims - 3 = x \$ 86.00 =

☐ Multiple Dependent Claim(s), if any \$290.00 =

TOTAL:  
SMALL ENTITY DISCOUNT:  
SUBTOTAL (1) (\$) 0.00

**2. AMENDMENT CLAIM FEES**

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
Total	-	=	x \$ 18.00 =	
Indep.	-	=	x \$ 86.00 =	
<input type="checkbox"/> First Presentation of Multiple Dep. Claim			+ \$290.00 =	

TOTAL: (\$)  
SMALL ENTITY DISCOUNT: (\$)  
SUBTOTAL (2) (\$)0.00

**FEE CALCULATION (continued)**

**3. ADDITIONAL FEES**

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	Request for ex parte reexamination	
110	55	Extension for reply within first month	
420	210	Extension for reply within second month	
950	475	Extension for reply within third month	
1480	740	Extension for reply within fourth month	
2010	1005	Extension for reply within fifth month	
330	165	Notice of Appeal	
330	165	Filing a brief in support of an appeal	
290	145	Request for oral hearing	
130	130	Petitions to the Commissioner	
180	180	Submission of Information Disclosure Statement	180.00
770	385	Filing a submission after final rejection (37 CFR 1.129(a))	
770	385	For each additional invention to be examined (37 CFR 1.129(b))	
100	100	Certificate of Correction for applicant's error	
110	55	Submission of Terminal Disclaimer	

Other fee (Specify) \_\_\_\_\_

Other fee (Specify) \_\_\_\_\_

SUBTOTAL (3) (\$) 180.00

SUBTOTAL (1) 0.00

SUBTOTAL (2) 0.00

SUBTOTAL (3) 180.00

TOTAL (\$) 180.00

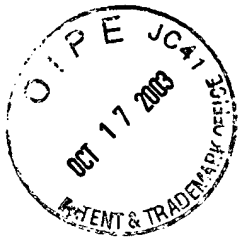
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Attorney Docket No. EXT-071  
(2457/70)

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P.O. Box 1450  
Alexandria, VA 22313-1450


**NOTIFICATION OF LOSS OF ENTITLEMENT OF SMALL ENTITY STATUS**  
**(37 CFR §§ 1.27 and 1.28)**

Sir:

For the purposes of this patent application, Applicants hereby notify the U.S. Patent and Trademark Office that they no longer seek entitlement to status as a small entity and, accordingly, that a claim for small entity status is hereby withdrawn.

Date: October 15, 2003  
Reg. No. 45,508

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